

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Prisons Department – Syed Maqbool C.T.No.4467 Central Prison, Cherlapally – Granted Special remission on the Occasion of Independence Day, 2009 – Violation of the conditions stipulated in the G.O.Ms.No.415, Home (Prisons.C) Department dated: 1-10-2009 Cancellation of Special remission under Section 432 (3) of Cr.Pc. 1973 – Orders – Issued.

HOME (PAROLE.2) DEPARTMENT

G.O.Ms.No. 75

dated: 05.03.2013.
Read the following:

1. G.O.Ms.No.338, Home (Pri.C) Dept., dated: 24-07-2009.
2. G.O.Ms.No.415, Home (Pri.C) Dept., dated: 01-10-2009.
3. From the Director General of Police, Hyderabad/Additional Commissioner of Police, Crimes and SIT, Hyderabad Lr. No. 332/OW/ Addl.CP/ Crimes dated: 1-03-2013.
1. From the Director General of Police, Hyderabad, Lr.No.10/ DGP/Camp/2013, dated: 4-3-2013 and Commissioner of Police, Crimes and SIT, Hyderabad Lr. No. 332/OW/ Addl.CP/ Crimes dated: 4 -03-2013.

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Whereas Syed Maqbool, Ex-convict No. 4467 S/o. Syed Haji, aged about 36 years resident of Dharmabad, Nanded, Maharashtra State was convicted for life imprisonment under Section 120-B and 302 IPC, 25 (1) (b) (a) of the Arms Act, in S.C.No.358/2000 in Crime No. 172/2000 and in S.C.No.93/2002 of P.S. Bodhan and C.C.No.1/2001 in Crime No.39 of 2000 of CID., Hyderabad. He served a total sentence of 10 years 3 months and 18 days in one case and 9 years 3 months and 21 days in another case, including remission, as on 15-8-2009, in Central Prison Cherlapally;

2. And whereas, Government have taken a policy decision on the occasion of Independence Day, 2009 to grant remission of sentence to Life Convicted prisoners who had been convicted for the offences against laws relating to matters to which the executive power of the State extends. Accordingly, guidelines were issued vide reference first read above and a Standing Committee was constituted to prepare the list of life convicted prisoners eligible for remission and make a recommendation to the Government. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad has submitted proposals to the Government for grant of special remission to the life Convicted Prisoners. Based on the recommendations of the Standing Committee and after placing the matter before the Council of Ministers and obtaining orders in circulation upto H.E. the Governor of Andhra Pradesh, Government have granted special remission to 940 life convicted prisoners vide

(P.T.O.)

G.O. second read above. The convict Syed Maqbool was also covered under the above guidelines and he was released on 2-10-2009, along with the other life convicted prisoners, subject to the following conditions:-

- (i) All premature releases under this G.O. shall be subject to execution of a personal bond of Rs.25,000/- (Rupees twenty five thousand only).
- (ii) The prisoners after release shall appear before the Probation Officer and the Police Station concerned once in a three months for a period of five (5) years from the date of release.
- (iii) Re-arrest of the released prisoners in cancellation of the remission granted under this G.O. in case he/she commits any criminal offence.

3. And whereas the Additional Commissioner of Police, Crimes and SIT, Hyderabad in his letter third read above has stated that, after his release from the prison, Syed Maqbool developed close contacts with operatives of Indian Mujahiddin and participated in several terrorist activities. He had also participated in criminal activities and he was arrested by Police Special Cell, Delhi in Crime No. 16/2012, under Sections 120-B of the Indian Penal Code, 1860 (Central Act 45 of 1860) Sections 16, 18, 18-A, 18-B and 20 of the unlawful Activities Prevention Act, 1967 read with unlawful Activities (Prevention) Amendment Act, 2008 and Section 5 of Explosives Substances Act, 1908 on 23-10-2012 and he was lodged in Tihar Jail, New Delhi. He was also arrested on 28-2-2013 in Crime No.Rc.No.2/2012 under Section 121 (a) 123 of IPC and Section 17, 18 (b), 20 Unlawful Activities (Prevention) Amendment Act, 2008 of the National Investigation Agency, New Delhi. During the course of investigation, five detonators were seized from his possession, and during interrogation it was further revealed that he is responsible for conducting reccee of Hyderabad and planning of Fidayen attack at Bodhgaya. Hence, the Director General of Police, Hyderabad has requested the Government to cancel the special remission granted to Syed. Maqbool S/o. Syed Haji for his involvement in terrorist activities;

4. Government after careful examination and consideration of the report of the Director General of Police, Hyderabad / Additional Commissioner of Police, Crimes and SIT., Hyderabad, hereby cancel the special remission granted to the Life Convicted Prisoner, Syed Maqbool S/o. Syed Haji, resident of Samtan Nagar, near Madina Majid, Dharmabad, Nanded, Maharashtra State under sub-section (3) of Section 432 of the Code of Criminal Procedure 1973, (Act 2 of 1974) for his involvement in terrorist activities and order him to undergo the unexpired portion of the sentence since the ex-convict has violated the conditions at para-4, (ii & iii) stipulated in the G.O.Ms.No.415, Home (Prisons.C) Dept., dated: 1-10-2009

(Contd.,3.,)

5. The Director General of Police, Hyderabad / Director General of Prisons and Correctional Services, Hyderabad are requested to take necessary action to apprehend the Ex-Life Convicted Prisoner Syed Maqbool S/o. Syed Haji and furnish action taken report immediately to the Government.

PRABHAKAR D. THOMAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

The Director General of Police, Andhra Pradesh, Hyderabad.

The Director General of Prisons & Correctional Services,
Andhra Pradesh, Hyderabad.

The Additional Commissioner of Police, Crimes and SIT., Hyderabad

The Superintendents of Jails, Central Prison, Cherlapally, R.R.District
(Through the D.G. Prisons & C.S., A.P., Hyderabad.)

The Superintendent of Jails, Central Prison, Tihar, New Delhi.

The Director, National Investigation Agency, New Delhi.

Copy to:

The Director, Information & Public Relations,
Andhra Pradesh, Hyderabad.

The Secretary to Governor of Andhra Pradesh, Hyderabad.

The PS to Principal Secretary to C.M.

The PS to M(Home).

The P.S. to C.S.

The Law (E) Department.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER